United Nations A/C.3/57/SR.29

General Assembly
Fifty-seventh session

Official Records

Distr.: General
22 January 2004
English
Original: Spanish

Third Committee

Summary record of the 29th meeting
Held at Headquarters, New York, on Tuesday, 29 October 2002, at 3 p.m.

Chairman: Mr. Wenaweser ..... (Liechtenstein)

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The meeting was called to order at 3.05 p.m.

Agenda item 107: Elimination of racism and racial discrimination (*continued*) (A/57/3 (Parts I and II))

(a) Elimination of racism and racial discrimination (*continued*) (A/57/18, A/57/83-E/2002/72, A/57/204, 333 and 334)

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (*continued*) (A/57/443 and 444)

Agenda item 108: Right of peoples to self-determination (*continued*) (A/57/178 and 312)

1. **Ms. Fusano** (Japan), referring to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban, said that all countries had racism and discrimination problems. Therefore, they should all implement measures of prevention, education and protection, as appropriate, bearing in mind the general principles agreed upon in Durban. Her Government was firmly committed to fighting discrimination and continued to work to achieve a society in which all persons were respected as individuals, regardless of their race or background. It believed that such a society could be built through cooperation among States, international organizations and every member of civil society.

2. It was important to prevent racism and discrimination and to promote the appreciation of cultural diversity through education. Ignorance and prejudice should be combated by educating young people so that they learned to respect the dignity and worth of the human person. In that regard, her delegation greatly appreciated the work of the Office of the United Nations High Commissioner for Human Rights and of the United Nations Educational, Scientific and Cultural Organization in following up on the conclusions of the World Conference in the field of education.

3. Efforts should be made to intensify mutual understanding among different races and ethnic groups. Youth exchanges were particularly important and her Government had promoted such exchanges and brought foreign students to Japan in cooperation with local governments and universities, in the hope that young people from different racial, cultural and religious backgrounds would learn to better understand and respect each other through such programmes.

4. With regard to the right of peoples to self-determination, Japan reiterated its sincere congratulations to Timor-Leste, the first State to obtain independence in the twenty-first century, and expressed its profound respect to the people of Timor-Leste for the courage and determination they had shown in realizing their goal of nationhood. Japan, in cooperation with the international community, would continue to provide its active support to national reconciliation and nation-building in Timor-Leste. Japan would work with Timor-Leste to establish a favourable and close relationship oriented towards the future.

5. **Mr. Neil** (Jamaica) said that, at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban, a broad consensus had been reached on ways to address those evils. The clear acknowledgement that racism and racial discrimination were serious violations of the full enjoyment of all human rights had been a central theme of the discussions in Durban. The fight against racism would require efforts to address its root causes through a clear understanding of the importance of tolerance and respect for diversity.

6. It was regrettable that in the three Decades to Combat Racism and Racial Discrimination, the international community had failed to eradicate those ills, which continued to affect the lives of countless human beings. His delegation hoped that every effort would be made to obtain positive results in 2003, the last year of the current Decade. Jamaica had participated actively in the negotiations at the Durban Conference, where a significant step had been taken by declaring slavery and the slave trade a crime against humanity and by recognizing the need to address the more subtle and contemporary forms of xenophobia and related intolerance.

7. The report of the Special Rapporteur of the Commission on Human Rights indicated a resurgence of racism, racial discrimination and xenophobia in various parts of the world, affecting in particular migrants and refugees. States in which immigration laws and law enforcement activities, including security measures designed to combat terrorism, had discriminatory effects should address that situation as a matter of urgency. They should also adopt legal and

administrative measures to curb racist propaganda and the activities of extremist groups that disseminated racial hatred and stigmatized certain cultures. The continued practice of racial profiling in some jurisdictions was also a cause for concern and required immediate action. The success of that effort would demand effective action to promote universal respect for human rights and effective remedies and redress at all levels, as outlined in the Durban Programme of Action. It would also require effective attention to all victims of racism and xenophobia, including people of African descent, indigenous peoples, migrants and refugees, taking into consideration their individual circumstances and needs.

8. Jamaica welcomed the efforts being undertaken within the United Nations system in follow-up to Durban. It took particular note of the report of the High Commissioner for Human Rights on the Comprehensive Implementation and follow-up to the World Conference against Racism (A/57/443) and supported the efforts to integrate the anti-discrimination agenda into the work of the United Nations system in general. Jamaica also welcomed the approval by the Economic and Social Council of the establishment of a working group of five independent experts on people of African descent, which was mandated to study the problems of racial discrimination of people of African descent living in the Diaspora.

9. His delegation also noted the steps taken by the Committee on the Rights of the Child and the Committee on Racial Discrimination to ensure follow-up to the World Conference. However, further clear steps should be taken by all treaty bodies to fully and systematically integrate anti-discrimination into their work by ensuring that their reporting guidelines adequately reflected the need for States to incorporate follow-up and implementation of the outcome document in their national reports.

10. While his delegation welcomed the steps taken to date to ensure that issues relating to legislation and human rights were addressed in the fight against racism, it found it regrettable that little attention had been paid to other equally important areas aimed at creating an enabling environment for effective remedies and redress. He hoped that, pursuant to paragraph 158 of the Durban Programme of Action, the industrialized countries, the specialized agencies and international financial institutions would take concrete action on debt relief, market access and the transfer of technology. Despite the efforts of the funds, programmes and specialized agencies, his delegation was concerned that the United Nations Development Assistance Framework processes were focusing on research and data collection and not on the allocation of appropriate funding for programmes addressing the development challenges of affected States and societies, as required in the Durban Programme of Action.

11. The Durban Declaration and Programme of Action had set the stage for a more systematic and meaningful process in addressing racism and racial discrimination. That objective could only be achieved, however, if the Durban outcome was implemented in its entirety and was allowed to form part of a collective engagement in which action at the national, regional and international levels were substantive and complementary.

12. **Mr. Chowdhury** (Bangladesh) said despite the fact that the Universal Declaration on Human Rights had been adopted half a century previously, racial prejudice, xenophobia and intolerance persisted and perpetuated political, economic and social injustice. That situation not only prevented the full enjoyment of human rights, but was also a threat to democracy and pluralism. It affected all countries in one form or another. A major objective of the Durban Conference had been to re-establish the primacy of human rights and fundamental human values. Its outcome document provided a solid foundation for further action and initiatives in the global struggle to eliminate racism, racial discrimination, xenophobia and related intolerance. However, the challenge remained and continued to affect societies. The most vulnerable groups were migrant workers, immigrants, refugees and asylum seekers. National Governments had the responsibility to weed out hatred and intolerance. All groups in society must be protected, in particular the most vulnerable groups. Basic human rights for all must be guaranteed.

13. The Constitution of Bangladesh expressly forbade discrimination on the grounds of race, religion, caste, sex or birthplace. It guaranteed equality before the law and equality of opportunity for all citizens and provided for affirmative action for particularly disadvantaged groups. Bangladesh's commitment to those fundamental values and norms had emerged out of its long struggle for independence. Bangladesh

respected human rights and fundamental freedoms together with pluralism, democracy, good governance and the rule of law. Internationally, it had supported the fight against racist practices and racial intolerance and was party to all the major human rights conventions, including the Convention on the Elimination of All Forms of Racial Discrimination. In accordance with that principled position, Bangladesh rejected and denounced racism and racist practices wherever and whenever they were perpetrated and unequivocally rejected the policies and practices of the occupying power in the Middle East. The Palestinian people were constantly deprived of their fundamental rights and persecuted. Eviction, complete blockade and excessive use of force against civilians were clear violations of international law and universally recognized human rights.

14. His delegation was deeply perturbed by the feelings against adherents of the Islamic faith in many parts of the world emanating from misconceptions of Islam, which had contributed so much to human progress and civilization. A multi-pronged approach must be adopted in the efforts to combat racism and racial discrimination, focusing on their root causes. First, it was necessary to foster human rights education to heighten the awareness of peoples throughout the world. Secondly, a culture of peace and understanding needed to be promoted among races and cultures, emphasizing unity in diversity. The adoption of the Declaration and Programme of Action on Culture of Peace by the General Assembly in 1999 was a major achievement in that regard. The 2001-2010 decade had been declared the International Decade for a Culture of Peace and Non-Violence for the Children of the World. Thirdly, effective national measures needed to be adopted with the participation of civil society. Finally, international cooperation must encompass such areas as new information and communication technologies, which were unfortunately often misused to spread hate and xenophobia. His delegation agreed with the Secretary-General that combating racism, discrimination, xenophobia and related intolerance required conviction, consistency, perseverance and determination.

15. **Mr. Tamir** (Israel) said that Israel wholeheartedly supported the initiatives of the international community to eliminate racism and racial discrimination. It had successfully integrated the various groups of immigrants from around the world which it had received in the course of its history. It had worked tirelessly to protect and defend their rights and had codified their protection in an extensive body of law for the benefit of all Israel's citizens. The diversity of Israeli society was a source of richness and strength to be celebrated, and Israel was proud of the role played by its civil society in giving voice to the country's many and diverse groups — a vital means of safeguarding human rights.

16. The twenty-first century had begun with high hopes for democratization, greater equality for all peoples, and progress towards universal recognition of the centrality of human rights. Unfortunately, those hopes had not been realized. In the first year of the new millennium the United Nations had convened in Durban, South Africa, the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, but what had been intended to serve as a high-level forum for the advancement of human rights and elimination of racism had turned into a platform for singling out Israel and unjustifiably branding it as racist and an international pariah. The Palestinian delegation, its supporters in the NGO community, and some States had permitted the travesty of Durban to transpire. The proceedings at Durban had represented a step backwards in the efforts to eradicate racism and racial discrimination. Israel profoundly regretted that an important opportunity to advance the cause of human rights and take substantial action to combat racism and racial discrimination had been squandered on petty political objectives.

17. Four days after the end of the Durban Conference a group of fanatical terrorists had perpetrated the attacks on New York and Washington, which had wakened the world to many new dangers, including the threat posed by racial intolerance and lack of respect for the most basic human right — the right to life. The attacks had galvanized the international community and had put the fight against terrorism in its rightful place at the top of the international agenda. But the fight against racism and intolerance was part and parcel of the fight against terror, and the Committee must reaffirm that important purpose and resist attempts to use the issue as a platform for attacks rather than as a basis for cooperation.

18. Although the United Nations had been hesitant in acknowledging it, anti-Semitism had made a startling comeback in the past year. Anti-Semitic violence and rhetoric had intensified and was on the rise around the

world. One of the many frightening manifestations of that trend was the adoption by certain Islamic fundamentalists in Arab and Muslim countries of the brand of Jew-hatred previously the exclusive domain of European fascists. A category of anti-Semitic images and propaganda not seen in half a century was becoming increasingly common in parts of the Middle East. But hatred of the Jews was not limited to those with a distinct anti-Israeli political agenda: even in enlightened, progressive and liberal societies Anti-Semitism was no longer taboo and it was emerging into the mainstream in countries where it had long been marginal. If the international community could not bring itself to condemn such hatred fully and unequivocally, individual citizens could not be expected to do so on their own.

19. Israel fully supported international efforts to eradicate racism, racial discrimination and related forms of intolerance, but precisely because it was opposed to racism it was opposed to the politicization of the work of the Committee, where the agenda item on racism and racial discrimination was exploited as an excuse to attack Israel and attempts were made to recast the Israeli-Palestinian dispute as a racial conflict. Israel's dedication to peace, justice and equality was one of the cornerstones of its society and an unyielding objective of its Government's policy. Israel would continue to act in earnest to ensure that those ideals were realized by all the peoples of the world and it hoped that the responsible members of the international community would join it in that campaign.

20. With regard to the right of peoples to self-determination, at the fifty-sixth session of the General Assembly the Israeli delegation had stated clearly that Israel recognized that right throughout the world and in the Middle East. The story of the modern State of Israel was to a great extent the story of defending the right of the Jewish people to self-determination in its homeland and its right to live in peace and security with its neighbours. Israel respected the right of its neighbours, both the Arab States and the Palestinian people, to self-determination. It had no desire to dominate the Palestinians or control their destiny. That recognition went back to the 1978 Camp David Accords and had been reiterated in the context of the Oslo agreements. More recently, Israel had stated its support for the idea of two States living side by side in peace and security, as adumbrated in Security Council resolution 1397 (2002).

21. However, the right to self-determination could not be used to legitimize whatever action was taken in its name; its exercise must rather include respect for the right of others to self-determination. History had shown ways of achieving self-determination without terrorizing innocent people or spreading hatred. Israel would not yield to violence or alter its political positions as a consequence of violence. No nation should accept dictation of its political agenda by suicide bombers. Self-determination was a noble idea, but its nobility was debased when its exercise necessitated the denial of that same right to others. The right to self-determination, like any other right, must be pursued through common agreement, dialogue and respect.

22. Israel still hoped to return, with its neighbours, to a process of genuine negotiation conducted in an environment free from terrorism and violence and aimed at achieving a lasting settlement based on the right of all the peoples of the region to live in dignity, peace and security. That hope would not be advanced by more one-sided United Nations resolutions which ignored the context of the conflict and the right of the region's other inhabitants to freedom from terrorism.

23. **Mr. Abelian** (Armenia) said that the world map and the composition of the United Nations would have been drastically different if, after the Second World War, various peoples and nations had not been allowed to exercise their right to self-determination, i.e., to emancipate themselves from colonial domination and oppression to gain independence and national sovereignty and secure the right to their own land and identity. Nevertheless, in the past decade there had been blatant attempts to deny the right to self-determination by questioning its essence and applicability. At the end of the cold war, the break-up of artificial political structures had given oppressed peoples the hope that they would be able to free themselves from foreign occupation and domination or repressive regimes and exercise their right to self-determination. Most of those attempts had been violently quashed, resulting in the emergence of bloody conflicts in many parts of the world. The international community should not relax its commitment to ensure that the right to self-determination was justly applied, without denying so-called "latecomers" their claim to that right, or discriminating against the historical

background that had led to their current claims. Similarly, it was unacceptable to juxtapose the right to self-determination and the principle of territorial integrity, giving priority to the latter. The recent admission of Timor-Leste as a State Member of the United Nations had again proved that the blanket rejection of claims to self-determination was both morally deficient and politically invalid. The right of peoples to self-determination was an effective guarantee for the observance of human rights and a prerequisite for peace and security in the world. Armenia was committed to the full implementation of the right of peoples to self-determination through peaceful means and applauded the courage of some governments which had conducted referendums and adopted measures to ensure the exercise of that right in their respective territories. Armenia also welcomed the efforts of all governments that promoted the examination and application of the right of peoples to self-determination and, in that regard, wished to express its gratitude to Prince Hans-Adam II of Liechtenstein for supporting the establishment of the Liechtenstein Institute on Self-Determination at Princeton University, which served as a bridge between scholars and policy makers.

24. In the region to which Armenia belonged it had been necessary to combat the consequences of past wrongdoings. Nagorno-Karabakh had been subjected to Soviet colonial domination and to foreign occupation by Azerbaijan, which had been given illegal and unjust jurisdiction over that region of Armenia through a decision taken arbitrarily by Stalin in 1921. For decades the Armenian population of Nagorno-Karabakh had suffered under a policy of discrimination and ethnic cleansing. During the break-up of the Soviet Union, the people of Nagorno-Karabakh had peacefully exercised their right to self-determination through a popular vote. Democracy and the rule of law were key factors in the exercise of the right of peoples to self-determination, which was possible only within the framework of a democratic society, in which the right of individuals to participate fully in political and public life was guaranteed. Armenia was proud that the people of Nagorno-Karabakh, in the midst of their struggle for self-determination, had completed another presidential election cycle. While the co-chairmen of the Minsk Group of the Organization for Security and Cooperation in Europe continued to work with Armenia, Azerbaijan, and Nagorno-Karabakh to arrange a settlement of the conflict and determine the final status of Nagorno-Karabakh, it was self-evident that only a democratically elected leadership could legitimately participate in the final negotiations on the status of its people.

25. **Ms. Barghouti** (Observer for Palestine) said that the realization of the right of many peoples to self-determination, and the achievement of freedom and independence for a great number of nations were among the most important accomplishments of the past century. Nevertheless, the world was facing even greater challenges which continued to threaten worldwide peace, stability and democracy. The emergence of new forms of colonialization, discrimination and injustice in many parts of the world required that the international community should exert even greater efforts to confront and eradicate those problems.

26. The occupation of Palestinian land since 1967 remained one of the worst forms of colonialism in modern history. In the current age of decolonialization, it was unacceptable that the Palestinian people should continue to languish under settler colonialism and the brutal and oppressive measures taken by Israel, the occupying Power. The international community, and the United Nations in particular, should take swift and firm measures to allow the Palestinian people to exercise their right to self-determination, as embodied in the Charter of the United Nations, and in human rights instruments and reaffirmed in the declarations and plans of action of several conferences and special sessions. Every year that passed in which the Palestinian people continued to be denied their right to self-determination was another year of further suffering and deterioration in their living conditions. Attempts to merely calm the situation on the ground without addressing the core issue of the right of Palestinian people to self-determination did not constitute a genuine solution. The enjoyment of that right by the Palestinian people was essential for the achievement of a comprehensive and lasting peace in the Middle East. The Palestinian people had a right to self-determination and the establishment of an independent State, with East Jerusalem as its capital.

27. Since September 2000, the Israeli occupying forces had unleashed a bloody military campaign against the Palestinian people and their leadership, which had already caused nearly 2,000 Palestinian deaths and at least 35,000 injuries. The occupying Power had continued applying its oppressive policies

and practices, destroying every aspect of Palestinian life in order to strengthen its occupation. The plight of Palestinian refugees and displaced persons tragically persisted.

28. Recent Israeli action had undermined efforts aimed at fostering an environment conducive to the resumption of negotiations between the two parties. One of the aims of the escalation of Israeli violence seemed to be to undermine recent positive developments regarding the right of the Palestinian people to establish a State. The Palestinian people had made historic compromises in order to achieve their national aspirations, exercise their inalienable rights and live in peace and dignity. Israel must understand that the Palestinian people would not accept anything less than real freedom and would not give up the struggle for self-determination even though occupation was continuing, with the constant use of military force, and the humiliation and dehumanization of the Palestinian population. Despite the current difficult political, economic and dire humanitarian situation they faced, the Palestinian people remained confident that, with the constant support and solidarity of the international community and the exertion of efforts to achieve a peaceful settlement, they would finally be able to live in peace and dignity.

29. **Ms. Ibrahimova** (Azerbaijan) said that racism and discrimination were serious violations of human rights. As a result of hard work, valuable recommendations for combating them had been made at the World Conference held in Durban. In Azerbaijan, a multi-ethnic and multi-religious country, national policy was planned and carried out with due regard for the legitimate interests of minorities. The Constitution and legislation of Azerbaijan prohibited racial discrimination, and the equality of all citizens, without any ethnic, religious or linguistic distinction, was guaranteed by law. In recent years, cultural centres, charities and other social organizations connected with all the minorities had been set up. Her Government attached great importance to the outcome of the World Conference, which should lead to decisive action at the national, regional and international levels to help those who suffered on a daily basis from racism and racial discrimination.

30. The right of peoples to self-determination was one of the basic human rights and a fundamental principle of international law. Consequently, one of the purposes of the United Nations was "to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples". Azerbaijan had exercised that right in restoring its own independence. As a multi-ethnic, multilingual and multi-religious state in which more than 80 ethnic and linguistic groups had been living together for centuries, it was committed to the principle of "unity in diversity".

31. Lately, it had become increasingly complex and delicate to define the applicability and the limits of the applicability of the right to self-determination. The most difficult problem was to reconcile the right to self-determination and the principle of the territorial integrity of States. In contemporary history, some minorities had proclaimed their intention to achieve self-determination for their people twice, thrice and many times over, even though the people had already cast their lot with the national State of origin. As a rule, such initiatives were supported by armed aggression and the occupation of the territory of one sovereign State by another. Azerbaijan was of the opinion that the territorial integrity and political unity of independent States must be preserved.

32. **Mr. Dhakal** (Nepal) observed that any doctrine of racial superiority was scientifically false, morally condemnable, socially unjust and politically dangerous. All communities must participate on a non-discriminatory and equitable basis in the cultural, social, economic and political life of their country.

33. Nepal attached great importance to the work of the United Nations and its various bodies to eliminate racism and racial discrimination. The World Conference held in Durban should be seen as a major leap forward, because the Durban Programme of Action had set standards and frameworks for addressing the deep-rooted causes of racism, racial discrimination, xenophobia and related intolerance. His delegation welcomed the decision to establish an anti-discrimination unit within the Office of the United Nations High Commissioner for Human Rights to help combat racism and racial discrimination and promote equality and non-discrimination. The Office of the High Commissioner should, through technical cooperation, help Member States to build and strengthen national capacities to combat racism and racial discrimination.

34. In combating gender discrimination, it would help if some core development issues were addressed,

because the situation of women was made worse by high illiteracy rates, poor access to health care, limited employment opportunities, segregation and poverty. A gender-mainstreaming policy should be adopted, with a view to improving gender relations and the access of men and women to rights, resources and opportunities, the ultimate goal being to achieve equality.

35. Nepal was party to 16 international human rights instruments, including the International Convention on the Elimination of All Forms of Racial Discrimination, and it had enacted various legislative measures to implement them. The 1990 Constitution guaranteed the right to equality without any discrimination based on race, caste or religion. The National Human Rights Commission, the National Commission on Women and the Ministry of Women, Children and Social Welfare were important institutions engaged in promoting the implementation of human rights instruments. In addition, particular emphasis was given to issues relating to vulnerable groups such as women, children and the elderly. It was recognized that local governments, law enforcement agencies and civil society were important in preventing racial discrimination and racially motivated crimes and in building understanding among races and ethnic groups. The media and the schools also had an important role to play in that regard. An expert committee had been appointed to identify laws that discriminated against women and to recommend reforms.

36. **Mr. Choi** (Australia) said that his country was a multicultural democracy that promoted cultural diversity and tolerance. His Government was unequivocal in its opposition to racism and was committed to strong action to address it. It was its firm view that the international community could effectively combat racism, racial discrimination, xenophobia and related intolerance only if it implemented forward-looking, concrete measures at the national, regional and international levels. That was the approach Australia had taken to the Durban World Conference, and it had been deeply disappointed that divisive political discussions had impeded the achievement of practical results. Despite its strong reservations about the process, Australia recognized that the Durban Declaration and Programme of Action contained a number of valuable recommendations, and it was committed to implementing them as part of its broader commitment to the fight against racism, in cooperation with fellow Member States.

37. Australia had demonstrated that it was open to cooperation with United Nations mechanisms in addressing racism domestically, having for that reason invited the Special Rapporteur of the Commission on Human Rights on racism to visit the country and set up a programme of meetings to provide him with a broad spectrum of views. It was therefore disappointing that the Special Rapporteur's report to the Commission contained serious errors of fact and an inadequate comprehension of complex issues such as the process of reconciliation with Australia's indigenous people. The Special Rapporteur had also decided not to take into account any of the comments or corrections that his Government had transmitted to him before the release of his report. His delegation noted with disappointment that the report had misrepresented Australia's concerns by describing them as merely clerical in nature, and had selectively reproduced only a few of the corrections in its corrigendum.

38. Australia remained committed to fighting the scourge of racism and the Government encouraged its people to take a stand against racism, prejudice and intolerance and to help build a peaceful, productive environment for future generations.

39. **Mr. Schurti** (Liechtenstein) said that after successfully concluding the decolonization process, the United Nations had quite unjustifiably neglected the right to self-determination, which was the prerequisite for the enjoyment of all human rights, as shown by its prominent place in the 1966 International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights. Issues related to self-determination lay at the heart of many of the world's problems and conflicts, especially internal conflicts. The exercise of the right to self-determination could not be equated with attaining independence, within or without the framework of decolonization, but constituted an ongoing process through which communities freely determined their political status and freely pursued their economic, social and cultural development. General Assembly resolution 2625 (XXV) of 24 October 1970 made it clear that there were different ways of effectively exercising that right. Many internal conflicts occurred because people seeking ways of asserting their identity viewed independence as their only option, even though the State of which they were part was likely to resist that option to the end, if necessary by force. Such conflicts could spread beyond the borders of the State concerned and thus endanger

international peace and security. The right to self-determination, if reduced to the right to secession and separate statehood, was likely to create problems, but if it were viewed more broadly as entailing various forms of self-administration it could offer new prospects of peaceful coexistence and contribute to stability and the preservation of the territorial integrity of States. The new ideas on the right to self-determination were in line with Article 1 of the Charter of the United Nations, which called for collective measures to prevent threats to peace. Accordingly, Liechtenstein supported the culture of prevention advocated by the Secretary-General. Self-determination provided the perfect legal and political basis for dealing with situations of ethnic strife and tensions among communities living within a State and between such communities and central Governments. The United Nations was therefore called upon to identify new models for the operative aspects of self-determination, and the international community should seek instruments or mechanisms to prevent conflicts.

40. **Ms. Al Haj Ali** (Syrian Arab Republic) expressed support for the statement made by the representative of Venezuela on behalf of the Group of 77 and China and said that combating racism and discrimination, an issue with which the United Nations had been dealing for decades, would continue to be a priority because of the increase in racism in the world. It was alarming that many information media extolled the supremacy of certain civilizations over others and misrepresented some cultures and religions. Such an attitude encouraged among some cultural and religious groups a feeling of superiority or hegemony, and hate of other communities, with concomitant threats to international peace, stability and security. Racism targeted mainly the citizens of the Arab and Muslim world, an issue that did not receive sufficient attention in the report of the Special Rapporteur on measures to Combat Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance (A/57/204), which likewise failed to take into account the fact that Semitism was not the monopoly of any one religion or particular group and that the Arabs belonged to the Semitic race. In contrast, the report of the High Commissioner for Human Rights on the comprehensive implementation of and follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (A/57/443) reflected the positive attitude of the international community towards the implementation of the results of the Durban Conference.

41. The significant deterioration of the economic situation in the Middle East had stirred up racism and discrimination, which were aggravated by the practices of the Israeli forces against the Arab citizens of the occupied territories. There had been flagrant manifestations of racism, such as statements made by some Israeli leaders against Arabs and Muslims, the demand to relocate the Palestinians and the incitement to kill all Arabs. In addition to occupation, the expulsion of Arabs and the arrival of Jewish settlers from many countries had changed the geography of the illegally occupied Arab territories. Israel could not persist in that practice, which ran counter to international law and to the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War, or continue to violate the right of the Palestinian people to self-determination despite the provisions of the United Nations Charter, the resolutions of the General Assembly, particularly resolution 1514 (XV) of 14 December 1960, and the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights. The United Nations had contributed greatly to the struggle of the peoples of the world seeking to exercise their right to self-determination and to free themselves from colonialism, but had not managed to end the arbitrary and oppressive practices of Israel against the Palestinian people, who were unable to achieve self-determination because, among other things, the international community did not exert sufficient pressure on Israel to respect international legitimacy and the relevant resolutions. In the course of history, many persecuted people had sought refuge in Syria, where they had the same rights and obligations as all other citizens. The Syrian Arab Republic had been one of the first States to adhere to the International Convention on the Suppression and Punishment of the Crime of Apartheid and did not discriminate against anybody on the basis of race, religion or national or ethnic origin. It accordingly held that the United Nations had a fundamental role to play in the combat against racism and racial discrimination in the world. Security and stability in the Middle East could not be attained unless the Palestinian people were allowed to exercise their fundamental right to self-determination and to create their own State with al-Quds al-Sharif (Jerusalem) as its capital.

42. **Mr. Hussain** (Pakistan), speaking in exercise of the right of reply, said that the Kashmir dispute had originated in India's refusal to allow the people of Jammu and Kashmir to exercise their inalienable right to self-determination. The United Nations position on that issue was reflected in Security Council resolutions 47 (1948) of 21 April 1948 and 80 (1950) of 14 March 1950, which stated that the final disposition of the State of Jammu and Kashmir would be determined in accordance with the will of the people through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations. India remained in breach of those resolutions and was thus in violation of its obligations under Article 25 of the Charter; it should therefore be subjected to international sanctions. The Indian delegation had defined the unrest in Kashmir as terrorism spurred by Pakistan, which according to *The Guardian* was a "monstrous distortion". India hypocritically advertised itself as the largest democracy in the world, but a democracy which did not allow people to exercise their right to self-determination was a democracy in words but an autocracy in action. In democratic India, the dark forces of Hinduvta, political fascism and religious chauvinism were on a rampage against minorities, especially Muslims. The ruling party traced its lineage to Rashtriya Swayamsevak Sangh (RSS) or Association of National Volunteers, whose founder, Madhav Gowalkar, had made no secret of his admiration for the Nazis and had written some 50 years previously: "we pledge ourselves resolutely not to rest until we have wiped out this blot". Bal Thakrey, leader of the Shiv Sehna party, had openly advocated doing to the Muslims what the Nazis had done to the Jews, namely, "put them away in gas chambers". India claimed that disinformation had been propagated about the Gujarat massacres, but a former Indian civil servant, Harsh Mander, had stated that in Ahmedabad, journalists, social workers and survivors had agreed that the events in Gujarat had not been a riot, but a terrorist attack followed by a systematic massacre, a pogrom and pillage organized like a military operation. Eyewitnesses had stated that assailants had ripped the foetus from the stomach of a woman and electrocuted an entire family after flooding their house. Another "the mask is off" report stated: "The Holocaust that Chief Minister Narendra Modi's administration presided over was engineered in the knowledge that the Indian State never punishes murderers with political connections. Delhi 1984 when Sikhs were killed, Bombay 1993 when Muslims were slaughtered and in Gujarat again in 2002 when 2,000 innocent Muslims were killed. Mosques and dargahs were razed and were replaced by statues of Hanuman and saffron flags". Lastly, the Human Rights Watch report on the Kashmir conflict mentioned the use by the State of "renegade" guerrillas who were compelled by the Indian security forces to commit grave violations of human rights in order to intimidate certain political groups, especially those striving for their right to self-determination. The Amnesty International report stated that some 5,000 renegades had been appointed special police officers in the State police. The barbaric acts perpetrated by those renegades against civilians were attributed to the valiant Kashmiri freedom fighters in order to denigrate them by branding them as terrorists. Pakistan reiterated its call for the establishment of an international criminal tribunal to try those responsible for the murder of innocent Muslims in Gujarat and elsewhere. The international community had punished other guilty persons and should not allow India's power to obstruct the course of justice.

43. **Mr. Roshdy** (Egypt), speaking in exercise of the right of reply, said the Israeli representative's affirmation that the 190 countries participating in the Durban Conference had been unjust in describing his State as racist demonstrated his peculiar notion of freedom of expression. The Israeli representative had also implied that the Palestinians should be ashamed of having initiated an intifada, living as they did in the paradise of Israel, where they enjoyed full equality of rights and freedoms. The Israeli representative had likewise branded all Arabs and Muslims as fascists and anti-Semites; obviously, his historical information was incorrect because the Egyptians were more Semitic than the Israelis, having lived in their country for 7,000 years. Lastly, the Israeli representative had said that his Government respected the right of neighbouring countries and the Palestinians to self-determination and that the exercise of that right should be the outcome of peaceful negotiations. If Israel really wanted to translate those noble words into deeds, his delegation should join the sponsors of the draft resolution on the right of the Palestinian people to self-determination.

44. **Ms. Ibrahimova** (Azerbaijan), speaking in exercise of the right of reply, said that once again the delegation of Armenia had sought to confuse the Third Committee by distorting the facts. It was common knowledge that Armenia had committed acts of

aggression against Azerbaijan, occupying 20 per cent of its territory and forcing the displacement of about 1 million Azerbaijanis. That was why various resolutions adopted by the General Assembly and the Security Council called for the liberation of the territory occupied by Armenia.

45. **Mr. Tamir** (Israel), speaking in exercise of the right of reply, said that the representative of Egypt had misinterpreted his statement. It was regrettable that some delegations still viewed racism as a weapon to be used against their political enemies and not as an outrage against humanity which must be combated with unanimous determination. The conflict between the Palestinians and the Israelis had nothing to do with the debate on racism and racial discrimination; it was a political conflict between two peoples, each of which had its rights, claims and aspirations that could only be resolved by renouncing violence and negotiating in a spirit of compromise and mutual recognition. The use of the agenda item under consideration to promote the Palestinian cause made no contribution, either to that cause or to the attainment of the common objective of eradicating racism and racial discrimination.

46. **Ms. Davtyan** (Armenia), speaking in exercise of the right of reply, said that the reference by the representative of Azerbaijan to Armenian aggression was incorrect, since the conflict in Nagorno-Karabakh was in fact a confrontation between the people of that region and the Government of Azerbaijan, which refused to recognize their right to self-determination. The combats in the area were provoked not by Armenian armed aggression but by the population, which had acted in self-defence after Azerbaijan had responded to its peaceful and legitimate request to exercise its right to self-determination with military force and the ethnic cleansing of Armenians in Nagorno-Karabakh and Azerbaijan. The territories mentioned by the representative of Azerbaijan were currently under the control of the armed forces of Nagorno-Karabakh and Armenia bore no responsibility in that regard. With regard to the Security Council resolutions, her Government had complied with all the requirements of the international community, using its good offices with the leaders of Nagorno-Karabakh with a view to finding a peaceful solution to the conflict.

47. **Mr. Roshdy** (Egypt), speaking in exercise of the right of reply, said that Israel's legislation was racist, since the legal age of majority was different for Palestinian children and Israeli children.

48. **Ms. Ibrahimova** (Azerbaijan), speaking in exercise of the right of reply, said that, in violation of the norms of international law, the Supreme Soviet of the Soviet Socialist Republic of Armenia had decided in 1989 to annex the region of Nagorno-Karabakh, which belonged to the Soviet Socialist Republic of Azerbaijan, and had enjoyed great social, economic, cultural and political autonomy.

49. **Ms. Davtyan** (Armenia), speaking in exercise of the right of reply, said that Azerbaijan had an erroneous view of its territorial integrity, since Nagorno-Karabakh had never formed part of Azerbaijan as an independent State. In 1920, the League of Nations had rejected the application for membership submitted by the Democratic Republic of Azerbaijan because of its territorial claims regarding Nagorno-Karabakh. In 1921 Nagorno-Karabakh had been incorporated in the Soviet Socialist Republic of Azerbaijan as an autonomous region by an arbitrary decision of the Communist Party. With the dissolution of the Soviet Union, the population of Nagorno-Karabakh had peacefully exercised its right to self-determination by voting in accordance with the legislation and constitution of the former Soviet Union and international law.

The meeting rose at 4.40 p.m.